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HARRISBURG, PA

APR 28 2003

Ronald E. Tucker
Reg. No. 39032-053
F.C.I. Allenwood
P.O. Box 2000
White Deer, PA 17887
April 24, 2003

Clerk of the Court
Middle District of Pennsylvania
United States District Court
228 Walnut Street
Harrisburg, PA 17887

MARY E. D'ANDREA, CLERK
Per 

IN RE: Resubmission of documents to the court and evidence
of mail tampering by B.O.P. officials in regards
to Petitioner's pending 60(b) motion.
Civil No. 1:00-CV-1780

Dear Clerk:

Today, April 24, 2003, I called the Clerk's Office for the Middle District of Pennsylvania at approximately 3:00pm. My Counselor, M. Buck gave me the call. I inquired about cases that I have pending under two (2) docket numbers. I spoke with a lady by the name of "Rochelle" pertaining to docket # 1:00-CV-1780, regarding my pending 60(b) motion. "Rochelle" told me that the last entry on my docket sheet was for February 3, 2003.

I asked "Rochelle" if she was sure she hadn't received anything from me or the Assistant United States Attorney with regards to my case after February 3, 2003. "Rochelle" assured me there was no documents filed after February 3, 2003.

I expressed to Rochelle that I received a letter from the A.U.S.A. dated February 11, 2003; I filed a "Motion to Compel Discovery" on February 13, 2003; and sent a certified letter to the court on February 18, 2003. "Rochelle" assured me that there was no documentation of the above referenced papers on the docket sheet.

Rochelle then suggested that I make copies of the certified receipts and send them to the court. Enclosed, please find:

- 1.] Letter to the Clerk of the Courts dated January 30, 2003
CC: Kate L. Mershimer and Kathleen Hawk Sawyer
Return Receipt # 7002 0510 0001 8777 3376 (Clerk of the Court)
7002 0510 0001 8777 3598 (Kate L. Mershimer)
7002 0510 0001 6681 3857 (Kathleen Hawk Sawyer)
- 2.] "Request for Production of Documents", "Affidavit of Ronald Tucker Regarding the Events of January 10, 15, and 16 of 2003" and "Letter from Henry J. Sadowski, Regional Counsel, dated January 30, 2003"

3.] Letter from A.U.S.A. Kate L. Mershimer, dated February 11, 2003 stating "the United States will not be responding to your Request for Production of Documents."

4.] Motion to Compel Discovery dated February 13, 2003
Certified Receipt # 7000 0600 0027 1130 1141 (Clerk of the Court)
7000 0600 0027 1130 1127 (Kate L. Mershimer)


5.] Letter to Court dated February 18, 2003 (with attachments)
Certified Receipt # 7000 0600 0027 1130 2360 (Clerk of the Court)
7000 0600 0027 1130 2339 (Kate L. Mershimer)

It is obvious that the administration here at F.C.I. Allenwood have tampered with my mail. I currently have a mail complaint pending regarding the opening of my incoming legal mail out of my presence. [See 03-CV-0393] Now it is obvious that they are tampering with my outgoing legal mail also.

This letter, along with the above mentioned documents are being sent Certified Mail and Return Receipt for Merchandise. Certified Receipt # 7002 0510 0001 8776 6354.

CERTIFICATE OF SERVICE

I certify that on April 24, 2003, that the above mentioned documents were given to prison officials, for forwarding to the address below, via first class mail postage paid. I certify that the foregoing is true and correct to the best of my knowledge pursuant to the penalty of perjury 28 U.S.C. §1746. Executed this 24th day of April 2003.

/x/ 
Ronald E. Tucker
Reg. No. 39032-053
F.C.I. Allenwood
P.O. Box 2000
White Deer, Pa 17887

Dated: April 24, 2003



U.S. Department of Justice

Thomas A. Marino
United States Attorney
Middle District of Pennsylvania

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235 N. Washington Ave.
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Scranton, PA. 18501-0309
(570) 348-2800
FAX (570) 348-2816/348-2830

Please respond to this office ☐

Federal Building, Suite 220
P.O. Box 11754
228 Walnut Street
Harrisburg, Pennsylvania 17108-1754
(717) 221-4432
FAX (717) 221-4582/221-2246

Please respond to this office ☒

Herman T. Schneebeli Federal Building
Suite 316
240 West Third Street
Williamsport, PA 17701-6465
(570) 326-1935
FAX (570) 326-7916

Please respond to this office ☐

February 11, 2003

Ronald Tucker
Reg. No. 39032-053
FCI Allenwood
P.O. Box 2000
White Deer, PA 17887

Re: Tucker v. Zenk,
No. 1:CV-00-1780 (M.D. Pa.)

Dear Mr. Tucker:

I am in receipt of your January 30, 2003 letter to Judge Kane plus your Request for Production of Documents. Please be advised that discovery is not typically available in a habeas case and it certainly is not available after judgment has been entered in the case. Although you have filed a Rule 60(b) motion, that does not alter the fact that discovery at this time is improper.

Accordingly, please be advised that the United States will not be responding to your Request for Production of Documents. To the extent you want a more formal response, the respondents object to your discovery request as being improper and irrelevant.

Sincerely,

KATE L. MERSHIMER
Assistant U.S. Attorney